

REMARKS

This is in response to the Office Action dated October 6, 2004. Claims 1-28 and 30-32 have been canceled. Claims 29 and 33-36 are pending.

Claim 33 stands rejected under 35 U.S.C. Section 102 as being allegedly anticipated by EP '417. This Section 102 rejection is respectfully traversed for at least the following reasons.

Claim 33 requires "extruding a colored layer including color pigment material, the colored layer being the layer that primarily determines the color of the trim product when viewed from the vehicle exterior; providing a substantially transparent clear coat layer over the colored layer; providing at least one tie layer between the colored layer and the substantially transparent clear coat layer, wherein the tie layer includes color pigment material therein and is for promoting adhesion between the colored layer and the clear coat layer; positioning the substantially transparent clear coat layer together with the colored layer and the tie layer in a vacuum forming apparatus; vacuum forming the substantially transparent clear coat layer together with the colored layer and the tie layer into a three-dimensionally shaped perform."

EP '417 fails to disclose or suggest the aforesaid aspect of claim 33. In particular, EP '417 fails to disclose or suggest vacuum-forming a clear coat layer, tie layer and colored layer, where the tie layer includes color pigment material and is for promoting adhesion between the clear coat layer and the colored layer. In Example 1 of EP '417 for example, a colored polypropylene resin sheet (colored layer) and a transparent polypropylene resin sheet (clear coat layer) are laminated together, with no tie layer therebetween (let alone a tie layer with color pigment material therein) (see Fig. 1 of EP '417). As another example, in Example 2 of EP '417, a colored layer 15a and a clear coat layer 13a are laminated together, with no tie layer therebetween (let alone a tie layer with color pigment material therein) (see Fig. 5 of EP '417).

The Section 103(a) rejection of claim 33 is respectfully traversed in a similar manner. In particular, since EP '417 is flawed as explained above, even the alleged combination of EP '417 and Roys (which would be incorrect in any event) fails to meet the invention of claim 33.

The obviousness-type double patenting rejection of claim 33 is respectfully traversed in a similar manner. In particular, for example and without limitation, there is no suggestion in the art of record to the claimed tie layer with color pigment therein.

Claim 29 stands rejected under Section 103(a) as being allegedly unpatentable over Roys in view of Johnson. This Section 103(a) rejection is respectfully traversed for at least the following reasons.

Claim 29 requires "extruding an approximately planar sheet including a colored layer including color pigment material; providing a substantially transparent clear coat layer comprising a thermoplastic fluorinated polymer over the colored layer; providing at least one tie layer between the colored layer and the substantially transparent clear coat layer; positioning the substantially transparent clear coat layer together with the colored layer and the tie layer in a vacuum forming apparatus; vacuum forming the substantially transparent clear coat layer together with the colored layer and the tie layer into a three-dimensionally shaped preform; utilizing the three-dimensionally shaped preform as at least a portion of an exterior trim product for a vehicle; and forming a base layer comprising polyolefinic thermoplastic resin by injection molding, beneath the colored layer so that the colored layer is provided between the base layer and the tie layer, and wherein the base layer and the colored layer are separate and distinct layers." Thus, claim 29 requires that the colored layer be formed by extrusion and the base layer by injection molding – i.e., the two layers are formed by different processes.

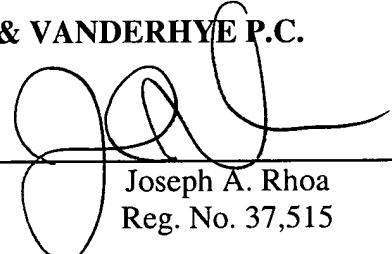
Both Roys and Johnson fail to disclose or suggest a colored layer be formed by extrusion and a base layer formed by injection molding. The use of different processes to form these layers in the same product is not disclosed or suggested by Roys or Johnson. Thus, it is respectfully requested that the Section 103(a) rejection be withdrawn.

While applicant disagrees with the obviousness-type double patenting rejections, the application may be willing to file a terminal disclaimer once the application is indicated as being otherwise in condition for allowance.

For at least the foregoing reasons, it is respectfully requested that all rejections be withdrawn. All claims are in condition for allowance.

Respectfully submitted,

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